

Message Text

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22

ACTION ORM-02

INFO OCT-01 EA-07 IO-13 ISO-00 DHA-02 VO-03 SCA-01 INSE-00

L-03 /032 W

----- 046457

R 170305Z JUL 76

FM AMCONSUL HONG KONG

TO SECSTATE WASHDC 1263

AMEMBASSY BANGKOK

AMEMBASSY RANGOON

AMEMBASSY JAKARTA

AMEMBASSY KUALA LUMPUR

AMEMBASSY MANILA

AMEMBASSY SINGAPORE

AMEMBASSY TAIPEI

AMEMBASSY TOKYO

USMISSION GENEVA

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E.O. 11652: N/A

TAGS: SREF

SUBJECT: INDOCHINESE REFUGEES - BOAT CASES

REF: (A) GENEVA 5673 AND (B) STATE 177095

1. IT WOULD BE HELPFUL TO HAVE DEPARTMENT'S INTERPRETATION OF THE LEGAL ASPECT OF THE AVA CASE. IS HKG CORRECT IN INSISTING BURMESE HAVE BASIC RESPONSIBILITY FOR 99 VIETNAMESE REFUGEES WHO WERE PICKED UP BY THE BURMESE FLAG VESSEL ON HIGH SEAS IN SINKING CONDITION?

2. MASTER OF AVA HAS MAINTAINED ALL ALONG THAT WHAT HE HAS ON BOARD ARE "SURVIVORS" AND HE HAS CAREFULLY AVOIDED USE OF TERM "REFUGEES"; HKG ON OTHER HAND HAS FROM OUTSET USED "REFUGEES" OR "ESCAPEES". IS THERE THEN A DISTINCTION UNDER INTERNATIONAL LAW BETWEEN "SURVIVORS" AND "REFUGEES". IN OTHER WORDS, DOES THE AVA REPRESENT "COUNTRY OF FIRST
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ASYLUM" FOR "REFUGEES" OR IS HK "FIRST PORT OF CALL FOR

"SURVIVORS"?

3. WOULD APPRCIATE EARLY REPLY SINCE THIS WILLY NILLY
ENTERS INTO ALL OF OUR TALKS WITH HKG.
CROSS

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NNN

Message Attributes

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Draft Date: 17 JUL 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
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